



**THE STATES assembled on Wednesday
15th July 2009, at 09.30 a.m. under
the Presidency of the Bailiff,
Michael Cameron St. John Birt Esquire.**

All members were present at roll call with the exception of –

Senator Stuart Syvret – ill
Senator Ben Edward Shenton – ill
Deputy Carolyn Fiona Labey of Grouville – ill
Deputy Daniel John Arabin Wimberley of St. Mary – en défaut (défaut raised at 9.42 a.m.)
Deputy Deborah Jane de Sousa of St. Helier – excused attendance

Prayers read by the Deputy Greffier of the States

Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- P.86/2009

THE STATES resumed consideration of the principles of the Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- and rejected a proposition of the Connétable of St. Peter, that, in accordance with Standing Order 79(1), the debate on the principles should be suspended and the relevant scrutiny panel requested to consider having the matter referred to it.

Members present voted as follows –

POUR: 2

Senator A. Breckon
Connétable of St. Peter

CONTRE: 43

Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator F.E. Cohen
Senator S.C. Ferguson
Senator A.J.D. Maclean
Senator B.I. Le Marquand
Connétable of St. Ouen
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisseier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)

ABSTAIN: 0

Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

THE STATES, having resumed consideration of the Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200-, adopted the principles.

Members present voted as follows –

POUR: 46

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérissier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)

Deputy of St. Ouen
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it wished to scrutinise the draft legislation, agreed that the continuation of the second reading of the Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200- should be deferred until their meeting of 20th October 2009.

In accordance with Standing Order 106(1)(b), Deputy Ian Joseph Gorst of St. Clement declared an interest but remained in the Chamber for the duration of the debate.

Arrangement of public business for future meetings

THE STATES noted that, following the deferral of the second reading of the Draft Banking Business (Depositors Compensation) (Jersey) Regulations 200-, consideration of the following matters would be deferred from the present meeting until 20th October 2009 –

Draft Banking (Depositors Compensation) (Jersey) Regulations 200-. Lodged: 2nd June 2009. <i>Minister for Economic Development.</i>	P.87/2009.
Strategic Reserve Fund: use for Bank Depositors' Compensation Scheme. Lodged: 2nd June 2009. <i>Minister for Treasury and Resources.</i>	P.84/2009.
Draft Public Finances (Depositors Compensation) (Jersey) Regulations 200-. Lodged: 2nd June 2009. Minister for Treasury and Resources.	P.85/2009.
Draft Income Tax (Amendment No. 32) (Jersey) Law 200-. Lodged: 2nd June 2009. Minister for Treasury and Resources.	P.81/2009.

Statements on a matter of official responsibility*(see Official Report/Hansard)*

The Minister for Treasury and Resources made a statement regarding the development of the Esplanade Quarter by Harcourt Developments Limited.

H.M. Attorney General made a statement regarding prosecutions arising from the Historic Child Abuse investigations.

Esplanade Quarter and Waterfront development: deferral P.77/2009

THE STATES, adopting a proposition of the Deputy of St. John, agreed that the development works by Harcourt Developments Limited of the proposed Esplanade Quarter and other areas of the St. Helier Waterfront (including the sinking of the Route de la Libération) should be deferred until there was a significant improvement in the economic situation in Jersey, with clear indicators of economic growth, and requested the Chief Minister, in accordance with Article 22(a) of the Articles of Association of the Waterfront Enterprise Board Limited, to give directions to this effect to that company.

Members present voted as follows –

POUR: 37

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)

CONTRE: 4

Senator T.J. Le Main
 Connétable of St. Ouen
 Connétable of St. Clement
 Deputy P.V.F. Le Claire (H)

ABSTAIN: 3

Senator T.A. Le Sueur
 Connétable of Grouville
 Connétable of St. Peter

Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

In accordance with the provisions of Standing Order 106(b), the Connétables of Grouville and St. Peter and Deputy Edward James Noel of St. Lawrence, declared an interest in this matter as States Directors of the Waterfront Enterprise Board and Senator Frederick Ellyer Cohen, in accordance with the provisions of Standing Order 106(b), declared an interest in this matter in view of his responsibility as Minister for Planning and Environment, but remained in the Chamber for the duration of the debate.

Draft Foundations (Amendment) (Jersey) Regulations 200- P.88/2009

THE STATES commenced consideration of the Draft Foundations (Amendment) (Jersey) Regulations 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 4.

THE STATES, in pursuance of Article 52(1) of the Foundations (Jersey) Law 200-, made Regulations entitled the Foundations (Amendment) (Jersey) Regulations 2009.

Members present voted as follows –

POUR: 28

CONTRE: 0

ABSTAIN: 3

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator A. Breckon
 Senator A.J.D. Maclean
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy I.J. Gorst (C)
 Deputy of St. John

Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy M.R. Higgins (H)

Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

Draft Foundations (Continuance) (Jersey) Regulations 200- P.89/2009

THE STATES commenced consideration of the Draft Foundations (Continuance) (Jersey) Regulations 200- and adopted the principles.

Members present voted as follows –

POUR: 40

CONTRE: 1

ABSTAIN: 1

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérissier (S)
 Deputy J.B. Fox (H)
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)

Deputy G.P. Southern (H)

Deputy of St. Mary

Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 to 34.

THE STATES, in pursuance of Article 56 of the Foundations (Jersey) Law 200-, made Regulations entitled the Foundations (Continuance) (Jersey) Regulations 2009.

Change in Presidency

The Bailiff retired from the Chamber during consideration of the proposition of the Deputy of St. John entitled 'Esplanade Quarter and Waterfront development: deferral' (P.77/2009) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States. The Bailiff resumed the presidency during consideration of the principles of the Draft Foundations (Continuance) (Jersey) Regulations 200-.

Draft Companies (Takeovers and Mergers Panel) (Amendment of Law) (Jersey) Regulations 200-P.91/2009

THE STATES commenced consideration of the Draft Companies (Takeovers and Mergers Panel) (Amendment of Law) (Jersey) Regulations 200- and adopted the principles.

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES, in pursuance of Article 8(4) of the Companies (Takeovers and Mergers Panel) (Jersey) Law 2009, made Regulations entitled the Companies (Takeovers and Mergers Panel) (Amendment of Law) (Jersey) Regulations 2009.

Draft Income Support (Amendment No. 4) (Jersey) Regulations 200- P.93/2009

THE STATES commenced consideration of the Draft Income Support (Amendment No. 4) (Jersey) Regulations 200- and adopted the principles.

Members present voted as follows –

POUR: 45

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand

Connétable of St. Ouen
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Lawrence
Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérissier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. John
Deputy A.E. Jeune (B)
Deputy of St. Mary
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Regulations 1 and 2.

THE STATES, in pursuance of Articles 5 and 18 of the Income Support (Jersey) Law 2007, made Regulations entitled the Income Support (Amendment No. 4) (Jersey) Regulations 2009.

Jersey Financial Services Commission: appointment of Chairman P.101/2009

THE STATES commenced consideration of a proposition of the Minister for Economic Development concerning the appointment of a Chairman of the Jersey Financial Services Commission. The Bailiff, in accordance with the provisions of Standing Order 82, ordered all strangers to withdraw from the precincts of the States and the doors of the Chamber to be closed.

THE STATES, having concluded the debate *in camera*, proceeded to vote in public assembly and, adopting the proposition of the Minister for Economic Development, agreed, in pursuance of Article 3 of the Financial Services Commission (Jersey) Law 1998 to appoint Mr. Clive Stanley Jones as Chairman of

the Jersey Financial Services Commission with effect from 18th September 2009 until the expiration of his current term as a Commissioner on 22nd October 2010, in place of Mr. Geoffrey Colin Powell, CBE.

Members present voted as follows –

POUR: 45**CONTRE: 0****ABSTAIN: 2**

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérissier (S)
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

Connétable of St. Mary
 Deputy of St. Mary

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 16th July 2009 to continue the consideration of the outstanding items of public business.

THE STATES rose at 5.30 p.m.

A.H. HARRIS

Deputy Greffier of the States